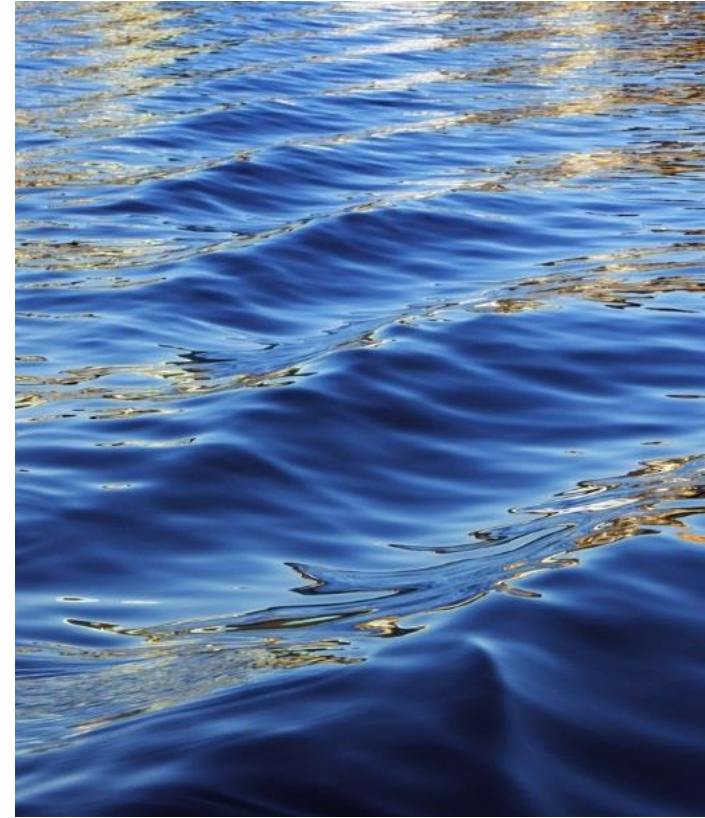




TCEQ Stormwater Investigations

A General Overview



TCEQ Stormwater Authorizations

- **General Permits**

- Construction General Permit (CGP) TXR150000
 - Effective March 5, 2018
 - Expires March 5, 2023
- Multi-Sector General Permit (MSGP) TXRo50000
 - Effective August 14, 2016
 - Expires August 14, 2021
- Small Municipal Separate Storm Sewer Systems (MS4) General Permit TXRo40000
 - Effective December 13, 2013
 - Expires December 13, 2018
- John Graves Scenic Riverway General Permit TXG500000
 - Effective April 7, 2014
 - Expires April 7, 2019

- **Individual Permits**

- Phase I MS4 Authorizations
- TXDOT Statewide Permit

TCEQ Stormwater Investigations

- **Comprehensive Compliance Investigations**
 - Scheduled
 - 24 hours to 14 day notification
- **Focused Investigations**
 - Scheduled; 24 hours to 14 day notification
 - Specific to MS₄s
 - Focuses on one or more minimum control measures
- **Reconnaissance Investigations**
 - Unscheduled
 - Typically, complaint driven
- **Follow-Up Investigations**
 - Record Review and/or on-site

Documenting Violations:

TCEQ Enforcement Initiation Criteria

- **Category A – Notice of Enforcement**
 - Unauthorized Operation (including failure to renew authorization)
 - Unauthorized Discharge with Documented Impact
 - Failure to achieve final stabilization after a Notice of Termination has been filed
 - Repeat Category B violations
 - Three-peat Category C violations
- **Category B – Notice of Violation (NOV)**
 - Complete Failure
 - Unauthorized Operation
- **Category C - NOV**
 - Partial Failure
- **Area of Concern**
 - Category C violation
 - Violation can be corrected within 14 calendar days
 - No impact to human health and or environment

Common CGP Violations

Stormwater Pollution Prevention Plan (SWP₃) Issues

- Failure to clearly define operator roles and responsibilities.
- Failure to update the site map as the project evolves; failure to identify all required information.
- Failure to document dates of major grading activities; temporary or permanent cessation of construction activities on a portion of a site; initiation of stabilization measures; and corrective action as a result of a site inspection
- Failure to certify and sign a compliant inspection report.
- Failure to document modifications or changes in the SWP₃ related to existing BMPs, implementation schedule, operator duties
- Failure to detail a dewatering plan in the SWP₃ to explain how the captured stormwater will be treated prior to discharge.

Common CGP Violations

Common On-Site Issues

- **Failure to install and maintain protective measures or structural controls.**
 - Concrete Wash Out
 - Silt Fence
 - Inlet Protection
 - Rock Gabions
 - Erosion Controls (temporary and permanent)
 - Stabilized Construction Entrance
 - Dewatering Treatment
- **Failure to implement BMPs such as pollution control measures.**
 - Trash containment
 - Street sweeping
- **Failure to post Construction Site Notice**
- **Failure to maintain SWP₃ on-site**

Common MSGP Violations

SWP₃ Issues

- Failure to maintain a drainage area site map and/or identify all required information.
- Failure to conduct employee training and/or education

Common MSGP Violations

Common On-Site Issues

- **Failure to perform required monitoring and sampling**
 - Quarterly visual monitoring of outfalls
 - Periodic routine inspections of the site
 - Annual numeric effluent monitoring (hazardous metals) and analysis
 - Semi-annual benchmark monitoring and analysis
 - Annual comprehensive compliance evaluation of SWP₃ and site conditions
- **Failure to implement BMPs and Good Housekeeping Measures**

Common MS₄ Violations

- Failure to implement a measurable goal or best management practice (BMP) defined in the Stormwater Management Program (SWMP)
- Failure to complete the goal or BMP within the approved implementation schedule as defined in the SWMP
- Failure to submit an annual report or a concise annual report
- Failure to submit a Notice of Change when required
- Failure to demonstrate how a goal or BMP was measured to be successful or implemented
- Failure to document inspections OR Failure to adequately conduct inspections
- Failure to develop an adequate MS₄ system map
- Failure to retain documentation from employee training

Common MS₄ Violations

- Failure to create/develop adequate ordinances
- Failure to document inspections/proof of oversight for contracted projects/services
- Failure to implement BMPs during MS₄ Operation and Maintenance (O&M)
- Failure to document inspections of high-priority facilities (Phase II Levels 3 & 4)
- Failure to implement adequate spill response measures at high-priority facilities
- Failure to conduct dry weather screening (MS₄ PH II Level 4)
- Failure to identify priority areas (MS₄ PH II Level 4)
- Failure to create/retain comprehensive list of active construction sites (MS₄ PH II Levels 3 & 4)



Contact Information

Mindy McDonough, CISEC #1394
TCEQ Austin Region Office
512-339-2929 | mindy.mcdonough@tceq.texas.gov

